

REMARKS

Claims 1, 3-11, 13-20 and 22-24 are pending in the present application.

The Examiner has required an election of species on the ground that the present application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1. The Examiner also states that species of the composite dispersion recited in claims 1 and 16 have *a priori* lack of unity.

Responsive to the requirement for election of species under (A), the Applicants hereby elect with traverse **species i)**, that is, a polyamide-series thermoplastic resin.

The Examiner has also required restriction with regard to (B), the combination of resin and unvulcanized rubber (claim 16) selected from four groups, namely, a.), b.), c.) and d.). In further response to the election/restriction requirement, the Applicants hereby elect, with traverse, **combination “(B)”** for claim 16.

Upon the allowance of a generic claim, Applicants note that they will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all of the limitations of an allowed generic claim as provided by 37 CFR 1.141.

The claims deemed to correspond to the listed species are claims 1, 3-11, 13-15, 20 and 22-24, which encompass species listed in (A). It is further deemed that claims 16-20 and 22-24 encompass species listed in (B).

The Examiner states that claims 1, 7, 13, 16-18, 20 and 22-24 are deemed to be generic.

At best, the election/restriction requirement is based upon two separate groups, i.e., cross-linkable group-containing resin (independent claim 1) (A), having an unsaturated bond and one of thirteen species.

The second phase of the invention resides in (B), the combination of resin and unvulcanized rubber (claim 16) selected from four separate combinations.

In other words, the thirteen species (i) - (xiii) all fall within the purview of (A). Thus, it is believed that all of these species should be considered together with invention (A). Similarly, it is believed that the four groups of invention (B) should encompass the four species of resin and unvulcanized rubber (claim 16).

It is believed to be reasonable to assert that (A) and (B) are restrictable inventions which are generic to any of species (i)-(xiii) and combinations (a)-(d), respectively.

Again, the Applicants hereby state that species (i) polyamide-series thermoplastic resin for claim 1 and combination (A) for claim 16 have been elected herein.

Favorable action on the merits of the elected claims is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Raymond C. Stewart, Registration No. 21,066, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No.: 10/520,205

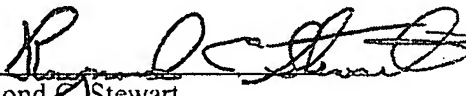
Docket No.: 2224-0236PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; and particularly, extension of time fees.

Dated: December 2, 2008

Respectfully submitted,

By



Raymond C. Stewart

Registration No.: 21,066

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant